

# **State of Illinois 91st General Assembly Final Senate Journal**

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SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

101ST LEGISLATIVE DAY

THURSDAY, APRIL 13, 2000

10:00 O'CLOCK A.M.

No. 101

[Apr. 13, 2000]

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The Senate met pursuant to adjournment.  
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.  
Prayer by Pastor John Hamilton, Laurel United Methodist Church,  
Springfield, Illinois.  
Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, April 11, 2000, was being read when on motion of Senator Myers further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Myers moved that reading and approval of the Journal of Wednesday, April 12, 2000 be postponed pending arrival of the printed Journal.

The motion prevailed.

**JOINT ACTION MOTION FILED**

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 4 to Senate Bill 1444

**LEGISLATIVE MEASURE FILED**

The following Conference Committee Report has been filed with the Secretary, and referred to the Committee on Rules:

First Conference Committee Report to House Bill 1812

At the hour of 10:30 o'clock a.m., Senator Karpiel presiding.

**MESSAGE FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
ILLINOIS SENATE**

April 13, 2000

Jim Harry  
Secretary of the Senate  
401 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Attached hereto please find the Fall Veto Session Schedule for the year 2000. Scheduled session days are November 9, 14, 15, 16, 28, 29 and 30.

Sincerely,

s/James "Pate" Philip  
Senate President

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**PRESENTATION OF RESOLUTION**

**SENATE RESOLUTION NO. 349**

Offered by Senator T. Walsh and all Senators:  
Mourns the death of Frank Chase of La Grange Park.

The foregoing resolution was referred to the Resolutions Consent Calendar.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS  
ON SECRETARY'S DESK**

On motion of Senator Rauschenberger, **Senate Bill No. 23**, with House Amendments numbered 1, 2 and 4 on the Secretary's Desk, was taken up for immediate consideration.

Senator Rauschenberger moved that the Senate non-concur with the House in the adoption of their amendments to said bill.

The motion prevailed.

And the Senate non-concurred with the House in the adoption of their Amendments numbered 1, 2 and 4 to **Senate Bill No. 23**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Burzynski, **Senate Bill No. 452**, with House Amendments numbered 1, 6 and 8 on the Secretary's Desk, was taken up for immediate consideration.

Senator Burzynski moved that the Senate concur with the House in the adoption of their Amendment No. 1 to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld

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Madigan, L.  
 Madigan, R.  
 Mahar  
 Maitland  
 Mitchell  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Smith  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their No. 1 to **Senate Bill No. 452**.

Senator Burzynski moved that the Senate concur with the House in the adoption of their Amendments numbered 6 and 8 to **Senate Bill No. 452**.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton

DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz

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Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch

Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 6 and 8 to **Senate Bill No. 452**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hawkinson, **Senate Bill No. 730**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Hawkinson moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz

Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson

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Weaver  
Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 730**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hawkinson, **Senate Bill No. 1268**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Hawkinson moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton

DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson

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Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
malsh, T.  
Matson  
Weaver



Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1268**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lauzen, **Senate Bill No. 1304**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lauzen moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lauzen

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Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro

Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1304**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator O'Malley, **Senate Bill No. 1377**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator O'Malley moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin

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Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their

Amendment No. 1 to **Senate Bill No. 1377.**

Ordered that the Secretary inform the House of Representatives thereof.

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On motion of Senator Dudycz, **Senate Bill No. 1425**, with House Amendments numbered 1, 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Dudycz moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Klemm  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker

Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan

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Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 2 and 3 to **Senate Bill No. 1425**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Geo-Karis, **Senate Bill No. 1513**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Geo-Karis moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz

Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland

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Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1513**.

Ordered that the Secretary inform the House of Representatives

thereof.

On motion of Senator R. Madigan, **Senate Bill No. 1658**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator R. Madigan moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs

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Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker

Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1658**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cullerton, **Senate Bill No. 1690**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Cullerton moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays None.

The following voted in the affirmative:

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Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz



Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The motion prevailed.

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And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1690**.

Ordered that the Secretary inform the House of Representatives

thereof.

On motion of Senator Mahar, **Senate Bill No. 1881**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Mahar moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpiel  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam

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Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1881**.

Ordered that the Secretary inform the House of Representatives thereof.

**CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS  
ON SECRETARY'S DESK**

On motion of Senator Geo-Karis, **House Bill No. 730**, with Senate Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Geo-Karis moved that the Senate refuse to recede from its Amendments numbered 1 and 2 to House Bill No. 730 and that a First Committee of Conference consisting of five members on the part of the Senate and five members on the part of the House be appointed to adjust the differences between the two Houses in regard to said amendments.

The motion prevailed.

The President appointed as such Committee on the part of the Senate, the following: Senators Cronin, Geo-Karis, Hawkinson, Cullerton and Obama.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Philip asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 11:23 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 3:37 o'clock p.m., the Senate resumed consideration of business.

Senator Maitland, presiding.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message from the House by  
Mr. Rossi, Clerk:

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Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

##### HOUSE JOINT RESOLUTION NO. 61

WHEREAS, Improving educational results for children with disabilities is an essential element of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities; and

WHEREAS, It is the policy of this State to ensure that all children with disabilities have available to them a free, appropriate public education, in the least restrictive environment, that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living; and

WHEREAS, A highly skilled and qualified special education teacher workforce is critical to ensuring that children with disabilities will have the skills and knowledge necessary to meet their developmental goals, to meet, to the maximum extent possible, those challenging expectations that have been set for all children, and to be prepared to lead productive, independent adult lives; and

WHEREAS, More than 2 years ago, the State Board of Education began working with a wide variety of stakeholders to identify standards that Illinois teachers need to know and be able to do to earn initial certification; and

WHEREAS, That process was accelerated with respect to special education teachers as a result of the Corey H. lawsuit and settlement agreement; and

WHEREAS, The State Board of Education has proposed a new special education certification structure that recognizes a common core of instructional skills that special education teachers need in working with their students; and

WHEREAS, The General Assembly is concerned that children with disabilities be provided with the most effective and appropriately trained special education teachers; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the State Board of Education is directed to refrain from implementing any new system for the certification of special education teachers until January 1, 2001 and to consult with the legislative leadership and appropriate committees before

implementation; and be it further

RESOLVED, That such consultation shall include but not be limited to (i) the provision of a written rationale for any decision, including alternatives considered, by the State Board of Education to implement a new system for the certification of special education teachers and (ii) participation by the State Board of Education in a hearing or hearings before the appropriate legislative committee or committees; and be it further

RESOLVED, That such committees of the House and Senate as may be directed by the Speaker of the House and President of the Senate, respectively, hold hearings and study the issue of the certification of special education teachers and report their findings and recommendations back to their respective chambers by no later than December 15, 2000; and be it further

RESOLVED, That the State Board of Education is directed to provide such information as may be requested by the study committees to assist them in carrying out their work; and be it further

RESOLVED, That suitable copies of this resolution be sent to the

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State Board of Education, the State Superintendent of Education, and the State Teacher Certification Board.

Adopted by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

The foregoing message from the House of Representatives, reporting **House Joint Resolution No. 61**, was referred to the Committee on Rules.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

#### HOUSE BILL 390

A bill for AN ACT to amend the Illinois Municipal Code by changing Section 2-3-5 and the Division 96 heading and adding Section 11-96-5.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 390.

Senate Amendment No. 2 to HOUSE BILL NO. 390.

Non-concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

Under the rules, the foregoing **House Bill No. 390**, with Senate Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1007

A bill for AN ACT in relation to State employment.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1007

Passed the House, as amended, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1007

AMENDMENT NO. 1. Amend Senate Bill 1007 as follows:

by replacing the title of the bill with the following:

"AN ACT in relation to public and private employment."; and

by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Broadcasting Industry Freedom of Employment Act.

Section 5. Covenants not to compete void.

(a) Any contract or agreement that creates or establishes the terms of employment for an employee or individual in the broadcasting industry, including employment with a television station, television

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network, radio station, radio network, or any entity affiliated with any of the foregoing, and that restricts the right of such an employee or individual to obtain employment in a specified geographic area for a specified period of time after termination of employment of the employee by the employer, or by termination of the employment relationship by mutual agreement of the employer and the employee, or by termination of the employment relationship by the expiration of the contract or agreement, is void and unenforceable with respect to that provision.

(b) An employee or individual who is adversely affected by a violation of this Act may commence a civil action to enforce his or her rights under this Act. Whoever violates this Act is liable for reasonable attorney's fees and costs associated with litigation by an affected employee or individual in such a civil action.

Section 99. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 1007**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage

of a bill of the following title, to-wit:

SENATE BILL NO. 1231

A bill for AN ACT in relation to secured transactions.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1231

Passed the House, as amended, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1231

AMENDMENT NO. 1. Amend Senate Bill 1231 on page 43, line 5, by deleting "or"; and on page 43 by replacing line 9 with the following:

"in proceeds;

(13) a transfer by a government or governmental subdivision or agency;

(14) a claim or a right to receive compensation for injuries or sickness as described in Section 104(a)(1) or (2) of Title 26 of the United States Code, as amended from time to time;  
or

(15) a claim or right to receive benefits under a special needs trust as described in Section 1396p(d)(4) of Title 42 of the United States Code, as amended from time to time.

Classification of goods; "consumer goods"; and

on page 121, line 8, by deleting "in a record"; and  
on page 121, line 10, by changing "in an" to "is an"; and  
on page 122, line 19, by changing "interest in" to "interest"; and  
on page 122, line 20, by replacing "a record" with "organized according to farm products".

Under the rules, the foregoing **Senate Bill No. 1231**, with House Amendment No. 1, was referred to the Secretary's Desk.

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A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1298

A bill for AN ACT to amend the Illinois Vehicle Code by changing Section 15-109.1.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 1298

Passed the House, as amended, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1298

AMENDMENT NO. 2. Amend Senate Bill 1298 as follows:  
on page 1, line 19, by replacing "cargo container." with "cargo  
area.".

Under the rules, the foregoing **Senate Bill No. 1298**, with House  
No. 2 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the  
House of Representatives has concurred with the Senate in the passage  
of a bill of the following title, to-wit:

SENATE BILL NO. 1627

A bill for AN ACT concerning local government debt.

Together with the following amendments which are attached, in the  
adoption of which I am instructed to ask the concurrence of the  
Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1627

House Amendment No. 2 to SENATE BILL NO. 1627

Passed the House, as amended, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1627

AMENDMENT NO. 1. Amend Senate Bill 1627 on page 1, line 5, after  
"13,", by inserting "15, "; and  
on page 4, immediately below line 7, by inserting the following:

"(30 ILCS 350/15) (from Ch. 17, par. 6915)

Sec. 15. Double-barrelled bonds. Whenever revenue bonds have  
been authorized to be issued pursuant to applicable law or whenever  
there exists for a governmental unit a revenue source, the procedures  
set forth in this Section may be used by a governing body. General  
obligation bonds may be issued in lieu of such revenue bonds as  
authorized, and general obligation bonds may be issued payable from  
any revenue source. Such general obligation bonds may be referred to  
as "alternate bonds". Alternate bonds may be issued without any  
referendum or backdoor referendum except as provided in this Section,  
upon the terms provided in Section 10 of this Act without reference  
to other provisions of law, but only upon the conditions provided in

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this Section. Alternate bonds shall not be regarded as or included  
in any computation of indebtedness for the purpose of any statutory  
provision or limitation except as expressly provided in this Section.

Such conditions are:

(a) Alternate bonds shall be issued for a lawful corporate  
purpose. If issued in lieu of revenue bonds, alternate bonds shall



be issued for the purposes for which such revenue bonds shall have been authorized. If issued payable from a revenue source in the manner hereinafter provided, which revenue source is limited in its purposes or applications, then the alternate bonds shall be issued only for such limited purposes or applications. Alternate bonds may be issued payable from either enterprise revenues or revenue sources, or both.

(b) Alternate bonds shall be subject to backdoor referendum. The provisions of Section 5 of this Act shall apply to such backdoor referendum, together with the provisions hereof. The authorizing ordinance shall be published in a newspaper of general circulation in the governmental unit. Along with or as part of the authorizing ordinance, there shall be published a notice of (1) the specific number of voters required to sign a petition requesting that the issuance of the alternate bonds be submitted to referendum, (2) the time when such petition must be filed, (3) the date of the prospective referendum, and (4), with respect to authorizing ordinances adopted on or after January 1, 1991, a statement that identifies any revenue source that will be used to pay the principal of and interest on the alternate bonds. The clerk or secretary of the governmental unit shall make a petition form available to anyone requesting one. If no petition is filed with the clerk or secretary within 30 days of publication of the authorizing ordinance and notice, the alternate bonds shall be authorized to be issued. But if within this 30 days period, a petition is filed with such clerk or secretary signed by electors numbering the greater of (i) 7.5% of the registered voters in the governmental unit or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, asking that the issuance of such alternate bonds be submitted to referendum, the clerk or secretary shall certify such question for submission at an election held in accordance with the general election law. The question on the ballot shall include a statement of any revenue source that will be used to pay the principal of and interest on the alternate bonds. The alternate bonds shall be authorized to be issued if a majority of the votes cast on the question at such election are in favor thereof provided that notice of the bond referendum, if held before July 1, 1999, has been given in accordance with the provisions of Section 12-5 of the Election Code in effect at the time of the bond referendum, at least 10 and not more than 45 days before the date of the election, notwithstanding the time for publication otherwise imposed by Section 12-5. Notices required in connection with the submission of public questions on or after July 1, 1999 shall be as set forth in Section 12-5 of the Election Code. Backdoor referendum proceedings for bonds and alternate bonds to be issued in lieu of such bonds may be conducted at the same time.

(c) To the extent payable from enterprise revenues, such revenues shall have been determined by the governing body to be sufficient to provide for or pay in each year to final maturity of such alternate bonds all of the following: (1) costs of operation and maintenance of the utility or enterprise, but not including depreciation, (2) debt service on all outstanding revenue bonds payable from such enterprise revenues, (3) all amounts required to meet any fund or account requirements with respect to such

outstanding revenue bonds, (4) other contractual or tort liability obligations, if any, payable from such enterprise revenues, and (5) in each year, an amount not less than 1.25 times debt service of all (i) alternate bonds payable from such enterprise revenues previously issued and outstanding and (ii) alternate bonds proposed to be issued. To the extent payable from one or more revenue sources, such sources shall have been determined by the governing body to provide in each year, an amount not less than 1.25 times debt service of all alternate bonds payable from such revenue sources previously issued and outstanding and alternate bonds proposed to be issued. The conditions enumerated in this subsection (c) need not be met for that amount of debt service provided for by the setting aside of proceeds of bonds or other moneys at the time of the delivery of such bonds.

(c-1) In the case of alternate bonds issued as variable rate bonds (including refunding bonds), debt service shall be projected based on the rate for the most recent date shown in the 20 G.O. Bond Index of average municipal bond yields as published in the most recent edition of The Bond Buyer published in New York, New York (or any successor publication or index, or if such publication or index is no longer published, then any index of long-term municipal tax-exempt bond yields selected by the governmental unit), as of the date of determination referred to in subsection (c) of this Section. Any interest or fees that may be payable to the provider of a letter of credit, line of credit, surety bond, bond insurance, or other credit enhancement relating to such alternate bonds and any fees that may be payable to any remarketing agent need not be taken into account for purposes of such projection. If the governmental unit enters into an agreement in connection with such alternate bonds at the time of issuance thereof pursuant to which the governmental unit agrees for a specified period of time to pay an amount calculated at an agreed-upon rate or index based on a notional amount and the other party agrees to pay the governmental unit an amount calculated at an agreed-upon rate or index based on such notional amount, interest shall be projected for such specified period of time on the basis of the agreed-upon rate payable by the governmental unit.

(d) The determination of the sufficiency of enterprise revenues or a revenue source, as applicable, shall be supported by reference to the most recent audit of the governmental unit, which shall be for a fiscal year ending not earlier than 18 months previous to the time of issuance of the alternate bonds. If such audit does not adequately show such enterprise revenues or revenue source, as applicable, or if such enterprise revenues or revenue source, as applicable, are shown to be insufficient, then the determination of sufficiency shall be supported by the report of an independent accountant or feasibility analyst, the latter having a national reputation for expertise in such matters, demonstrating the sufficiency of such revenues and explaining, if appropriate, by what means the revenues will be greater than as shown in the audit. Whenever such sufficiency is demonstrated by reference to a schedule of higher rates or charges for enterprise revenues or a higher tax imposition for a revenue source, such higher rates, charges or taxes shall have been properly imposed by an ordinance adopted prior to the time of delivery of alternate bonds. The reference to and acceptance of an audit or report, as the case may be, and the determination of

the governing body as to sufficiency of enterprise revenues or a revenue source shall be conclusive evidence that the conditions of this Section have been met and that the alternate bonds are valid.

(e) The enterprise revenues or revenue source, as applicable, shall be in fact pledged to the payment of the alternate bonds; and the governing body shall covenant, to the extent it is empowered to

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do so, to provide for, collect and apply such enterprise revenues or revenue source, as applicable, to the payment of the alternate bonds and the provision of not less than an additional .25 times debt service. The pledge and establishment of rates or charges for enterprise revenues, or the imposition of taxes in a given rate or amount, as provided in this Section for alternate bonds, shall constitute a continuing obligation of the governmental unit with respect to such establishment or imposition and a continuing appropriation of the amounts received. All covenants relating to alternate bonds and the conditions and obligations imposed by this Section are enforceable by any bondholder of alternate bonds affected, any taxpayer of the governmental unit, and the People of the State of Illinois acting through the Attorney General or any designee, and in the event that any such action results in an order finding that the governmental unit has not properly set rates or charges or imposed taxes to the extent it is empowered to do so or collected and applied enterprise revenues or any revenue source, as applicable, as required by this Act, the plaintiff in any such action shall be awarded reasonable attorney's fees. The intent is that such enterprise revenues or revenue source, as applicable, shall be sufficient and shall be applied to the payment of debt service on such alternate bonds so that taxes need not be levied, or if levied need not be extended, for such payment. Nothing in this Section shall inhibit or restrict the authority of a governing body to determine the lien priority of any bonds, including alternate bonds, which may be issued with respect to any enterprise revenues or revenue source.

In the event that alternate bonds shall have been issued and taxes, other than a designated revenue source, shall have been extended pursuant to the general obligation, full faith and credit promise supporting such alternate bonds, then the amount of such alternate bonds then outstanding shall be included in the computation of indebtedness of the governmental unit for purposes of all statutory provisions or limitations until such time as an audit of the governmental unit shall show that the alternate bonds have been paid from the enterprise revenues or revenue source, as applicable, pledged thereto for a complete fiscal year.

Alternate bonds may be issued to refund or advance refund alternate bonds without meeting any of the conditions set forth in this Section, except that the term of the refunding bonds shall not be longer than the term of the refunded bonds and that the debt service payable in any year on the refunding bonds shall not exceed the debt service payable in such year on the refunded bonds.

Once issued, alternate bonds shall be and forever remain until paid or defeased the general obligation of the governmental unit, for

the payment of which its full faith and credit are pledged, and shall be payable from the levy of taxes as is provided in this Act for general obligation bonds.

The changes made by this amendatory Act of 1990 do not affect the validity of bonds authorized before September 1, 1990.

(Source: P.A. 90-812, eff. 1-26-99; 91-57, eff. 6-30-99; 91-493, eff. 8-13-99; revised 10-9-99.)".

AMENDMENT NO. 2 TO SENATE BILL 1627

AMENDMENT NO. 2. Amend Senate Bill 1627 on page 7, immediately below line 27, by inserting the following:

"Section 10. The Public Library District Act of 1991 is amended by changing Section 15-90 as follows:

(75 ILCS 16/15-90)

Sec. 15-90. Transfer of contiguous territory to adjoining

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district.

(a) Territory that is in a public library district and contiguous with another library district may be transferred to the latter district. Upon the mutual agreement of the boards of trustees of the contiguous districts to the transfer of the territory, each board shall enact a transfer ordinance containing identical language describing the territory to be transferred, the effective date of the transfer, a statement of the assets and liabilities, if any, that are a responsibility of the transferred territory, and the settlement of any excess of assets or liabilities.

(b) A copy of the transfer ordinance shall be filed with the circuit court of the county that contains all or the larger part of the territory. Upon receiving the ordinance, the circuit court shall enter an order setting forth the date, time, and place of a hearing upon the subject matter of the ordinance, name the judge to hear the cause, and send notice of the date, time, and place of the hearing and of the judge assigned to the president of the board of trustees of each of the involved public library districts and to the secretary of the board of trustees of the public library district containing the territory proposed to be transferred. The date set for the hearing shall be not less than 30 days nor more than 60 days after the circuit court enters the order for the hearing. The secretary of the board of trustees of the public library district containing the territory proposed to be transferred shall, within 15 days of the secretary's receipt of the circuit court's notice of the hearing, publish notice of the hearing as provided in Section 1-30.

(c) At the hearing before the assigned judge of the circuit court, the validity of the ordinance, including substantiation of the required allegations in the petition, the appropriateness of the location and boundary of the territory to be voted upon for transfer, and other relevant matters shall be considered. All persons residing in the territory to be transferred, all other persons having an interest in the proposed transfer, and the boards of trustees of the involved library districts shall have a reasonable opportunity to be heard upon the subject of the proposed transfer. The judge's determination of the appropriateness of the boundary of the territory

proposed to be transferred shall include the following factors:

(1) The location of the residents in relationship to the total territory proposed to be transferred.

(2) Maintaining the pre-existing non-residential tax bases of both libraries so far as possible.

(3) Local traditional traffic, transportation, and marketing routes and the convenience of the residents of the territory proposed to be transferred.

The judge, after hearing the statements, evidence, and suggestions of the persons appearing at the hearing, shall determine (i) whether the ordinance is valid and sufficient according to law and (ii) whether the territory to be transferred would receive substantially equal or greater benefits by being transferred. If the transfer ordinance is found to be valid and sufficient, and the territory to be transferred would receive substantially equal or greater benefits by being so transferred, the judge shall enter a final judgement to transfer the territory.

(d) The judge assigned to the case shall, after a hearing upon the merits, enter an order revising the boundaries of the district and setting forth the liability, if any, yet to be retired and paid by the property owners of the transferred territory. The liability shall be collected under Section 35-15.

(e) If there are any general obligation bonds of the public library district (or other obligations incurred instead of general

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obligation bonds under this Act) that are outstanding and unpaid at the time the territory is transferred from the public library district under this Section, the territory shall remain liable for its proportionate share of the bonded indebtedness or other outstanding obligation incurred instead of bonded indebtedness, and the public library district may continue to levy and extend taxes upon the taxable property in the territory for the purpose of amortizing the bonds or satisfying the other outstanding obligations until sufficient funds to retire the bonds or to satisfy the other outstanding obligations have been collected.

(e-5) The county clerk must extend taxes to pay the principal of and interest on any general obligation bonds issued to refund any bond described in subsection (e), as provided in the bond ordinances on file in the office of the county clerk, against all taxable property in the district, including taxable property that was in the district on the date that the bonds being refunded were issued; provided, however, that (i) the net interest rate on the refunding bonds may not exceed the net interest rate on the refunded bonds, (ii) the final maturity date of the refunding bonds may not extend beyond the final maturity date of the refunded bonds, and (iii) the debt service payable on the refunding bonds in any year may not exceed the debt service that would have been payable on the refunded bonds in that year. This subsection is inoperative after December 31, 2000.

(f) The district secretary shall record a certified copy of the transfer order with the recorder and file a certified copy with the county clerk of each county affected.

(Source: P.A. 87-1277.)".

Under the rules, the foregoing **Senate Bill No. 1627**, with House Amendments numbered 1 & 2 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1693

A bill for AN ACT to amend the Property Tax Code by changing Section 21-310.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 1693

House Amendment No. 4 to SENATE BILL NO. 1693

Passed the House, as amended, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1693

AMENDMENT NO. 2. Amend Senate Bill 1693 on page 1, by replacing lines 1 and 2 with the following:

"AN ACT concerning taxation."; and

on page 1, by replacing line 6 with the following:

"Sections 21-295, 21-310 and 21-355 as follows:

(35 ILCS 200/21-295)

Sec. 21-295. Creation of indemnity fund.

(a) In counties of less than 3,000,000 inhabitants, each person

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purchasing any property at a sale under this Code shall pay to the County Collector, prior to the issuance of any certificate of purchase, a fee of \$20 for each item purchased. A like sum shall be paid for each year that all or a portion of subsequent taxes are paid by the tax purchaser and posted to the tax judgment, sale, redemption and forfeiture record where the underlying certificate of purchase is recorded.

(a-5) In counties of 3,000,000 or more inhabitants, each person purchasing property at a sale under this Code shall pay to the County Collector a fee of \$80 for each item purchased plus an additional sum equal to 5% of ~~total~~ taxes, interest, and penalties paid by the purchaser, including the taxes, interest, and penalties paid under Section 21-240. In these counties, the certificate holder shall also pay to the County Collector a fee of \$80 for each year that all or a portion of subsequent taxes are paid by the tax purchaser and posted to the tax judgment, sale, redemption, and forfeiture record, plus an additional sum equal to 5% of all subsequent taxes, interest, and penalties. The additional 5% fees are ~~fee is~~ not required after

December 31, 2006. The changes to this subsection made by this amendatory Act of the 91st General Assembly are not a new enactment, but declaratory of existing law.

(b) The amount paid prior to issuance of the certificate of purchase pursuant to subsection (a) or (a-5) shall be included in the purchase price of the property in the certificate of purchase and all amounts paid under this Section shall be included in the amount required to redeem under Section 21-355. Except as otherwise provided in subsection (b) of Section 21-300, all money received under subsection (a) or (a-5) shall be paid by the Collector to the County Treasurer of the County in which the land is situated, for the purpose of an indemnity fund. The County Treasurer, as trustee of that fund, shall invest all of that fund, principal and income, in his or her hands from time to time, if not immediately required for payments of indemnities under subsection (a) of Section 21-305, in investments permitted by the Illinois State Board of Investment under Article 22A of the Illinois Pension Code. The county collector shall report annually to the Circuit Court on the condition and income of the fund. The indemnity fund shall be held to satisfy judgments obtained against the County Treasurer, as trustee of the fund. No payment shall be made from the fund, except upon a judgment of the court which ordered the issuance of a tax deed.

(Source: P.A. 91-564, eff. 8-14-99.)"; and

on page 1, by replacing line 22 with the following:

"board of review, ~~or~~ board of appeals, or other county official has made an error"; and

on page 1, by inserting below line 24 the following:

"(5.5) the owner of the homestead property, or his or her agent, had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the homestead property, and the county collector did not apply the payment to the homestead property,"; and

on page 3, by deleting lines 9 and 10; and

on page 3, immediately below line 11, by inserting the following:

"(35 ILCS 200/21-355)

Sec. 21-355. Amount of redemption. Any person desiring to redeem shall deposit an amount specified in this Section with the county clerk of the county in which the property is situated, in legal money of the United States, or by cashier's check, certified check, post office money order or money order issued by a financial institution insured by an agency or instrumentality of the United States, payable to the county clerk of the proper county. The deposit shall be

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deemed timely only if actually received in person at the county clerk's office prior to the close of business as defined in Section 3-2007 of the Counties Code on or before the expiration of the period of redemption or by United States mail with a post office cancellation mark dated not less than one day prior to the expiration of the period of redemption. The deposit shall be in an amount equal to the total of the following:

(a) the certificate amount, which shall include all tax principal, special assessments, interest and penalties paid by

the tax purchaser together with costs and fees of sale and fees paid under Sections 21-295 and 21-315 through 21-335;

(b) the accrued penalty, computed through the date of redemption as a percentage of the certificate amount, as follows:

(1) if the redemption occurs on or before the expiration of 6 months from the date of sale, the certificate amount times the penalty bid at sale;

(2) if the redemption occurs after 6 months from the date of sale, and on or before the expiration of 12 months from the date of sale, the certificate amount times 2 times the penalty bid at sale;

(3) if the redemption occurs after 12 months from the date of sale and on or before the expiration of 18 months from the date of sale, the certificate amount times 3 times the penalty bid at sale;

(4) if the redemption occurs after 18 months from the date of sale and on or before the expiration of 24 months from the date of sale, the certificate amount times 4 times the penalty bid at sale;

(5) if the redemption occurs after 24 months from the date of sale and on or before the expiration of 30 months from the date of sale, the certificate amount times 5 times the penalty bid at sale;

(6) if the redemption occurs after 30 months from the date of sale and on or before the expiration of 36 months from the date of sale, the certificate amount times 6 times the penalty bid at sale.

In the event that the property to be redeemed has been purchased under Section 21-405 ~~21-370~~, the penalty bid shall be 12% per penalty period as set forth in subparagraphs (1) through (6) of this subsection (b). The changes to this subdivision (b)(6) made by this amendatory Act of the 91st General Assembly are not a new enactment, but declaratory of existing law.

(c) The total of all taxes, special assessments, accrued interest on those taxes and special assessments and costs charged in connection with the payment of those taxes or special assessments, which have been paid by the tax certificate holder on or after the date those taxes or special assessments became delinquent together with 12% penalty on each amount so paid for each year or portion thereof intervening between the date of that payment and the date of redemption. In counties with less than 3,000,000 inhabitants, however, a tax certificate holder may not pay all or part of an installment of a subsequent tax or special assessment for any year, nor shall any tender of such a payment be accepted, until after the second or final installment of the subsequent tax or special assessment has become delinquent or until after the holder of the certificate of purchase has filed a petition for a tax deed under Section 22.30. The person redeeming shall also pay the amount of interest charged on the subsequent tax or special assessment and paid as a penalty by the

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tax certificate holder. This amendatory Act of 1995 applies to tax years beginning with the 1995 taxes, payable in 1996, and thereafter.

(d) Any amount paid to redeem a forfeiture occurring subsequent to the tax sale together with 12% penalty thereon for each year or portion thereof intervening between the date of the forfeiture redemption and the date of redemption from the sale.

(e) Any amount paid by the certificate holder for redemption of a subsequently occurring tax sale.

(f) All fees paid to the county clerk under Section 22-5.

(g) All fees paid to the registrar of titles incident to registering the tax certificate in compliance with the Registered Titles (Torrens) Act.

(h) All fees paid to the circuit clerk and the sheriff or coroner in connection with the filing of the petition for tax deed and service of notices under Sections 22-15 through 22-30 and 22-40 in addition to (1) a fee of \$35 if a petition for tax deed has been filed, which fee shall be posted to the tax judgment, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; (2) a fee of \$4 if a notice under Section 22-5 has been filed, which fee shall be posted to the tax judgment, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; and (3) all costs paid to record a lis pendens notice in connection with filing a petition under this Code. The fees in (1) and (2) of this paragraph (h) shall be exempt from the posting requirements of Section 21-360.

(i) All fees paid for publication of notice of the tax sale in accordance with Section 22-20.

(j) All sums paid to any city, village or incorporated town for reimbursement under Section 22-35.

(k) All costs and expenses of receivership under Section 21-410, to the extent that these costs and expenses exceed any income from the property in question, if the costs and expenditures have been approved by the court appointing the receiver and a certified copy of the order or approval is filed and posted by the certificate holder with the county clerk. Only actual costs expended may be posted on the tax judgment, sale, redemption and forfeiture record.

(Source: P.A. 88-455; 89-57, eff. 6-30-95; 89-69, eff. 6-30-95; 89-626, eff. 8-9-96.)

Section 10. The Code of Civil Procedure is amended by adding Section 12-144.5 and changing Section 12-145 as follows:

(735 ILCS 5/12-144.5 new)

Sec. 12-144.5. Report of sale and confirmation of sale.

(a) When the premises mentioned in the certificate are not redeemed in pursuance of law, the legal holder of the certificate shall promptly make a report to the court that issued the underlying judgment. The report shall include a copy of the certificate of sale; an affidavit, under oath, containing a good faith appraisal of the fair market value of the property; and a listing of all liens and mortgages including the value thereof.

(b) Upon motion and notice in accordance with court rules applicable to motions generally, including notice to the judgment debtor, the court issuing the underlying judgment shall conduct a hearing to confirm the sale. Unless the court finds that (i) notice as required by law was not given, (ii) the terms of the sale were

unconscionable, (iii) the sale was conducted fraudulently, or (iv) justice was otherwise not done, the court shall then enter an order confirming the sale. In making these findings, the court shall take

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into account the purchase price at the sale in relation to the fair market value of the property less the value of any mortgages and liens.

(735 ILCS 5/12-145) (from Ch. 110, par. 12-145)

Sec. 12-145. Time of execution of deed. When the premises mentioned in such certificate are not redeemed in pursuance of law, and the court issuing the underlying judgment has entered an order confirming the sale in accordance with Section 12-144.5, the legal holder of the certificate is entitled to a deed therefor at any time within 5 years from the expiration of the time of redemption. The deed shall be executed by the sheriff or other officer who made the sale, or by his or her successor in office, or by some person specially appointed by the court for the purpose. If the deed is not taken within the time limited by Part 1 of Article XII of this Act, the certificate of purchase is void unless the purchaser under the certificate of sale has gone into possession of the premises under and in reliance on the certificate of sale within the 5 year period. If, however, the deed is wrongfully withheld by the officer whose duty it is to execute it, or if the execution of the deed is restrained by injunction or order of a court, the time during which the deed is so withheld or the execution thereof restrained shall not be considered as any part of the 5 years within which the holder is required to take a deed.

(Source: P.A. 83-707.)

Section 99. Effective date. This Section and the changes to Sections 21-295 of the Property Tax Code take effect upon becoming law."

#### AMENDMENT NO. 4 TO SENATE BILL 1693

AMENDMENT NO. 4. Amend Senate Bill 1693, AS AMENDED, in Section 5, Sec. 21-310, by replacing subdivision (a)(5.5) with the following:

"(5.5) the owner of the homestead property had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the homestead property, and the county collector did not apply the payment to the homestead property; provided that this provision applies only to homeowners, not their agents or third-party payors,".

Under the rules, the foregoing **Senate Bill No. 1693**, with House Amendments numbered 2 and 4, was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 840

A bill for AN ACT to amend the Local Records Act by changing Section 7.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 840.

Senate Amendment No. 2 to HOUSE BILL NO. 840.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

[Apr. 13, 2000]

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Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 861

A bill for AN ACT to amend the Criminal Code of 1961 by changing Section 16A-6.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 861.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO 1428

A bill for AN ACT to amend the Illinois Vehicle Code by changing Section 12-611.

Passed the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 2991

A bill for AN ACT concerning business names.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2991.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 3093

A bill for AN ACT concerning tree and soil conservation.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3093.

Senate Amendment No. 2 to HOUSE BILL NO. 3093.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

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A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 3457

A bill for AN ACT to amend the Environmental Protection Act.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3457.

Senate Amendment No. 2 to HOUSE BILL NO. 3457.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3465

A bill for AN ACT to amend the Criminal Code of 1961 by changing Section 26-4.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3465.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 4045

A bill for AN ACT to amend the Criminal Code of 1961 by changing Sections 11-9.3 and 11-9.4.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 4045.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 4124

A bill for AN ACT in relation to corrections.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 4124.

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Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 4431

A bill for AN ACT concerning taxes, amending named Acts.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 4431.

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 1 to Senate Bill 1231  
Motion to Concur in House Amendment 2 to Senate Bill 1298  
Motion to Concur in House Amendments 2 & 4 to Senate Bill 1693

#### **MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

##### **HOUSE JOINT RESOLUTION NO. 51**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Task Force on Organic Farming is created (i) to study the feasibility of creating an Illinois program of organic standards and certification, (ii) to examine organic standards of other states, including the 1998 Iowa standards, and (iii) to review the pending USDA federal organic standards; and be it further

RESOLVED, That the Task Force consist of the following members:

(1) the Director of Agriculture, or his or her designee, serving as chairman of the Task Force;

(2) one member of the House Agriculture Committee, appointed by the Speaker of the House of Representatives;

(3) one member of the Senate Agriculture Committee, appointed by the President of the Senate; and

(4) one representative of the Illinois Farm Bureau, one representative of the Illinois Farmer's Union, 2 representatives of the Organic Crop Improvement Association, and one representative of consumer advocates, each appointed jointly by the Task Force chairman and the Task Force's legislative members; and be it further

RESOLVED, That the Task Force seek the assistance of the Department of Agriculture in the performance of its duties; and be it

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further

RESOLVED, That Task Force members receive no compensation but may be reimbursed for their actual and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, That the Task Force report its findings to the General Assembly by December 31, 2000; and be it further

RESOLVED, That a copy of this resolution be presented to the Director of Agriculture.

Adopted by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

The foregoing message from the House of Representatives, reporting **House Joint Resolution No. 51**, was referred to the Committee on .

#### **REPORTS FROM RULES COMMITTEE**

Senator Weaver, Chairperson of the Committee on Rules, during its April 13, 2000 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Education: **Motion to concur with House Amendment 4 to Senate Bill 1444.**

Local Government: **Motion to concur with House Amendments 1 & 2 to Senate Bill 1550.**

Revenue: **Motion to concur with House Amendments 2 & 4 to Senate Bill 1693.**

Transportation: **Motion to concur with House Amendment 2 to Senate Bill 1298.**

Senator Weaver, Chairperson of the Committee on Rules, reported that the following Joint Action Motion has been approved for consideration:

Motion to concur with House Amendment 1 to Senate Bill 1231

The foregoing concurrence was placed on the Secretary's Desk.

Senator Weaver, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

First Conference Committee Report to House Bill 1812

The foregoing conference committee report was placed on the Senate Calendar.

#### **COMMITTEE MEETING ANNOUNCEMENTS**

Senator Cronin, Chairperson of the Committee on Education announced that the Education Committee will meet today in Room 212, Capitol Building, at 5:00 o'clock p.m.

Senator Parker, Chairperson of the Committee on Transportation announced that the Transportation Committee will meet today in Room 400, Capitol Building, at 5:00 o'clock p.m.

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Senator Peterson, Chairperson of the Committee on Revenue announced that the Revenue Committee will meet today in Room 400, Capitol Building, at 5:30 o'clock p.m.

Senator Dillard, Chairperson of the Committee on Local Government announced that the Local Government Committee will meet today in Room 400, Capitol Building, at 5:15 o'clock p.m.

At the hour of 4:01 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

#### **AFTER RECESS**

At the hour of 5:55 o'clock p.m., the Senate resumed consideration of business.

Senator Donahue, presiding.

#### **REPORTS FROM STANDING COMMITTEES**

Senator Bomke, Vice-Chairperson of the Committee on Local Government, to which was referred the **Motion to concur with House Amendments numbered 1 and 2 to Senate Bill No. 1550**, reported the same back with the recommendation that the motion be approved for consideration.

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Peterson, Chairperson of the Committee on Revenue, to which was referred the **Motion to concur with House Amendments numbered 2 and 4 to Senate Bill No. 1693**, reported the same back with the recommendation that the motion be approved for consideration.

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Parker, Chairperson of the Committee on Transportation, to which was referred the **Motion to concur with House Amendment No. 2 to Senate Bill No. 1298**, reported the same back with the recommendation that the motion be approved for consideration.

Under the rules, the foregoing motion is eligible for consideration by the Senate.

#### **MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

#### **HOUSE JOINT RESOLUTION NO. 63**

WHEREAS, This General Assembly adopted Senate Joint Resolution 46 on December 2, 1999 to give the Task Force on School Safety, initially created under Public Act 91-491, additional time to carry out its work by requiring the task force to submit a report by July 1, 2000 instead of January 1, 2000; and

WHEREAS, Additional time is needed to carry out the work of the



task force; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Task Force on School Safety consisting of 2 members of the Senate appointed by the President of the Senate, one member of the Senate appointed by the Minority Leader of the Senate, 2 members of the House of Representatives appointed by the Speaker of the House, one member of the House of Representatives appointed by the Minority Leader of the House, 2 regional superintendents of schools appointed by the State Superintendent of Education, one teacher who is a member of the Illinois Federation of Teachers and appointed by the State Superintendent of Education, one teacher who is a member of the Illinois Education Association and appointed by the State Superintendent of Education, one member of the Illinois Sheriffs' Association appointed by the Governor, one member of the State's Attorneys Association appointed by the Governor, one member of the Illinois Public Defenders Association appointed by the Governor, one member of the Illinois Violence Prevention Authority appointed by the Governor, one member appointed by the Governor, one member of the Illinois Principals Association appointed by the Illinois Principals Association, 2 superintendents of school districts appointed by the State Superintendent of Education, one member of the Office of the Illinois Attorney General appointed by the Attorney General, one member of the Illinois Association of Chiefs of Police appointed by the Governor, one member of the Department of State Police appointed by the Governor, and the State Superintendent of Education or the State Superintendent of Education's designee; and be it further

RESOLVED, That any appointments made as of May 1, 2000 to fill any of the positions mentioned in this resolution shall carry over and remain in effect for the purpose of this resolution; and be it further

RESOLVED, That the task force shall meet initially at the call of the Speaker of the House and the President of the Senate, shall select one member as chairperson at its initial meeting, shall thereafter meet at the call of the chairperson, shall identify and review all school safety programs offered by schools and State agencies and make recommendations of successful programs, including without limitation peer mediation, shall study alternative education programs and their current status, waiting lists, and capital needs, shall, in cooperation with the State Board of Education, develop uniform criteria to be implemented in school safety plans, shall make recommendations on the streamlining, centralization, and coordination of school safety resources and programs offered by various entities, agencies, and government units, and shall submit a report on its findings and recommendations to the General Assembly and the Governor by December 31, 2000; and that upon filing its report the task force is dissolved; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the Senate, the Minority Leader of the Senate, the Speaker of the House, the Minority Leader of the House, the Governor,

the State Superintendent of Education, the Illinois Principals Association, and the Attorney General.

Adopted by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

The foregoing message from the House of Representatives, reporting **House Joint Resolution No. 63**, was referred to the Committee on Rules.

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A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 66

WHEREAS, The United States embargo against Cuba, imposed in 1961, has not achieved its goals, but instead has increasingly created economic and physical hardships to the people of the Republic of Cuba, depriving them of basic foods and medicines and exposing its people, mainly its children, to the effects of malnutrition and other severe health concerns; and

WHEREAS, The Illinois-Cuba Humanitarian Mission in 1999, headed by Governor and Mrs. George Ryan, along with 42 delegates, saw firsthand the basic needs of the Cuban people, and the importance of people-to-people exchange, and has since then encouraged organizations and institutions in Illinois to engage in educational and agricultural research collaborations that will produce mutually beneficial results for the people of Illinois and Cuba; and

WHEREAS, Recent Cuban related issues have brought to question the inconsistencies of the United States' foreign policies concerning migration, sanctions, and the ban on travel; these issues have brought to light the need to establish relations and permit American citizens to freely travel to Cuba; and for those American citizens with family and friends in Cuba to freely provide assistance without breaking the laws of the United States; and

WHEREAS, The majority of Americans are interested in pursuing a peaceful and respectful end to the conflicts that have existed between Cuba and the United States, and this measure could be the first steps towards reconciliation and the normalization of relations between the United States and Cuba; and

WHEREAS, The State of Illinois, a national leader in education, agriculture, commerce, and technology, will benefit from the potential educational and agricultural collaborations and exchanges, and biotechnology, medical, and cultural exchanges that could be established with Cuba, its people and institutions; and

WHEREAS, The Congress of the United States is currently considering over seventeen bills that seek to eliminate sanctions against Cuba for the purpose of permitting individuals and entities based with the United States to freely travel, develop trade, and

provide humanitarian aid in the form of food and medicines; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the passage and enactment of any and all congressional legislation that would lift the United States' sanctions against travel and the delivery of food and medicine to the Cuban people, reminding both the Congress and the President of the United States that such an adjustment in our foreign policy reflects an American humanitarianism that transcends political ideology; and be it further

RESOLVED, That copies of this resolution be presented to the President of the United States, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and each member of the Illinois congressional delegation.

Adopted by the House, April 13, 2000.

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ANTHONY D. ROSSI, Clerk of the House

The foregoing message from the House of Representatives, reporting **House Joint Resolution No. 66**, was referred to the Committee on Rules.

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO 1330

A bill for AN ACT to amend the Franchise Disclosure Act of 1987 by changing Section 5.

SENATE BILL NO 1524

A bill for AN ACT to amend "An Act concerning real property", Public Act 91-459, approved August 6, 1999, by changing Section 5-10.

SENATE BILL NO 1537

A bill for AN ACT concerning the Illinois prepaid tuition program.

Passed the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 70

Concurred in by the House, April 13, 2000.

ANTHONY D. ROSSI, Clerk of the House

#### **PRESENTATION OF RESOLUTION**

##### **SENATE RESOLUTION NO. 350**

Offered by Senator Sullivan and all Senators:  
Mourns the death of Joseph P. Wall of Chicago.

The foregoing resolution was referred to the Resolutions Consent Calendar.

#### **READING A BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Maitland, **House Bill No. 1583** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 59; Nays None.

The following voted in the affirmative:

Bomke  
Bowles

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Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpier  
Klemm  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.

Madigan, R.  
Mahar  
Maitland  
Mitchell  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Smith  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not

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adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

At the hour of 6:10 o'clock p.m., on motion of Senator Weaver, the Senate stood adjourned until Friday, April 14, 2000 at 10:00 o'clock a.m.

[Apr. 13, 2000]